

VZCZCXYZ0000  
OO RUEHWEB

DE RUEHDM #0534/01 2121130  
ZNY CCCCC ZZH  
O 311130Z JUL 09  
FM AMEMBASSY DAMASCUS  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6661  
INFO RHEHNSC/NSC WASHDC IMMEDIATE  
RHEHAAA/WHITE HOUSE WASHDC IMMEDIATE  
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 0676  
RUEHUNV/USMISSION UNVIE VIENNA IMMEDIATE 0052  
RUEAIIA/CIA WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L DAMASCUS 000534

SIPDIS

DEPARTMENT FOR NEA/ELA, DRL/NESCA  
NSC FOR MCDERMOTT/SHAPIRO  
LONDON FOR TSOU, PARIS FOR MILLER

E.O. 12958: DECL: 07/31/2019  
TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDEM](#) [KMPI](#) [KPAO](#) [SOCI](#) [SY](#)  
SUBJECT: SARG IMPRISONS PROMINENT HUMAN RIGHTS LAWYER

REF: A. DAMASCUS 00006  
[1](#)B. 08 DAMASCUS 00885  
[1](#)C. 08 DAMASCUS 00517  
[1](#)D. 08 DAMASCUS 00482

Classified By: CDA a.i. Ray Maxwell for reasons 1.4 (b) and (d)

[1](#)1. (C) This cable contains an action request; please see para 10.

[1](#)2. (C) Summary: In what may be its highest profile arrest since the 2007 round-up of Damascus Declaration members, the General Intelligence Directorate (GID) invited human rights lawyer Muhanad al-Hasani to its offices on July 28 for an interrogation session that resulted in arrest and incarceration in Adra prison, according to local contacts. Al-Hasani previously had told us he was under increasing pressure following publications in the international press and by international NGOs on the Syrian State Security Court (SSSC) and Sednaya prison, for which security officials believed him to be a significant source. While the SARG did not make public the arrest, local contacts told us al-Hasani was being charged with (1) operating an NGO without a license; (2) weakening national morale in a time of war; and (3) spreading false information to undermine the state in a time of war. Based on conversations with al-Hasani over the last six months, it appears the SARG had been slowly building a case against him. Al-Hasani's regular, electronically published statements chronicling SSSC trials, his investigations into the Sednaya prison riots (reftels), his leadership of the Syrian Organization for Human Rights (SWASIAH), and his human rights and civil society activist client-base had raised his visibility with security services. Derogatory reports filed by three prominent civil society figures, al-Hasani alleged, had been submitted recently to the SARG's National Security Office (NSO). These reports, probably produced under duress, may have provided the necessary catalyst for the security agents to move against al-Hasani. END SUMMARY.

-----  
BACKGROUND  
-----

[1](#)3. (C) Following a string of stories on Sednaya prison and the SSSC in 2008 and early 2009, al-Hasani told us in a March 1 meeting the SARG, believing him to be a principle local source for the stories, had begun harassing and threatening him with repeated interrogations and on occasion visibly posting Muhabarat agents outside his office. Security services also blocked the SWASIAH website and demanded the organization turn over all the website's archived data.

-----  
SARG THREATS CULMINATE IN DETENTION  
-----

¶4. (C) The day before his arrest, al-Hasani confided to us his concern that security services were preparing to detain him; their harassment had taken a more menacing turn, he said. As he was leaving the SSSC on July 19, he recounted, a hulking, brutish man who identified himself as an "officer of the court," but whom al-Hasani pegged for Muhabarat, approached, grabbed him by the arm, and stripped away all the papers al-Hasani was carrying. The papers, he told us, contained his notes on SSSC trials. Days later, on July 23, en route to Latakia, al-Hasani received a phone call instructing him to report to the head of the General Intelligence Directorate's (GID) "Internal Branch" for questioning. Nearly to Latakia and unable to return in a timely fashion, al-Hasani explained he could not come, but would report on Sunday, July 26. He duly presented himself for questioning on July 26, whereupon he was placed alone in a room for over four hours before being questioned. His interrogators accused him of writing denunciatory reports for foreign consumption and instructed him to return for further questioning on July 28.

¶5. (C) One of the contributing factors to his increased anxiety about arrest, al-Hasani said, was his having learned three individuals had submitted reports on his SSSC activities to the National Security Organization (NSO), headed by Isham Muqtar. He did not tell us what the reports contained (though he speculated they were derogatory), when they were submitted, nor how he had learned of the reports' existence. He did say, however, that the authors of the reports were National Organization for Human Rights leader Ammar Qarabi, former SWASIAH member Abdul Hakim Rihawi, and human rights lawyer Khalil Matuk, who himself has been under intense pressure from the security services and has had charges brought against him by the government (his case is pending) in connection with a complaint Matuk filed against customs agents after his nephew was shot and killed in September 2008.

¶6. (C) According to a local contact, when al-Hasani appeared at the GID's offices on July 28, he was asked if he had brought his identification. Al-Hasani demurred and the security officer instructed him to return home and retrieve it, which he did. Suspecting the worst, he reportedly stopped by the courthouse to authorize several lawyers to act on his behalf in the event of his absence, and then returned to GID offices.

¶7. (C) Al-Hasani also notified civil society activist Daad Mousa (strictly protect) of his July 28 interrogation and promised to call her after it was over. When al-Hasani failed to call, Mousa reportedly called him multiple times. At first his line was busy, then, on her final attempt, the phone rang but nobody answered. A short while later, Mousa received a call from security agents using al-Hasani's cellphone. They were, she said, checking to see who had been calling al-Hasani. On July 31, Mousa spoke with Damascus Declaration National Council (DDNC) member Anwar al-Bunni, currently in Adra prison, who told her he had seen al-Hasani. According to al-Bunni, Mousa explained, al-Hasani was facing charges of (1) operating an NGO without a license; (2) weakening national morale in a time of war; and (3) spreading false information to undermine the state in a time of war.

¶8. (C) Comment: Muhanad al-Hasani is a close and long-time Embassy contact who has provided the principal legal representation for Syrian human rights, civil society, and democracy advocates facing SARG prosecution. His transfer from GID custody to Adra prison, the prison where most political prisoners are held, including members of the Damascus Declaration National Council, may presage a lengthy detention and eventual trial. Coming on the heels of a recent court decision to uphold the verdicts and sentences against the DDNC's leadership, al-Hasani's detention strikes

a mortal blow to what remains of Syria's frail democracy movement. Al-Hasani's claims that he was denounced to the NSO are difficult to assess, but they do reflect the degree to which the security services have penetrated Syrian civil society.

¶9. (C) Comment Continued: It is worth noting the SARG moved against al-Hasani a mere two days after the visit of S/E George Mitchell to Damascus. While Post does not think this was calculated at the highest levels, such a prominent arrest may indicate either a disconnect between security services and the palace, or a palace-level belief that U.S. re-engagement efforts would militate against any White House or Department public condemnations. End Comment.

¶10. (C) Action Request: At a minimum Post recommends Washington consider raising this arrest at the next appropriate opportunity in private discussions with SARG officials to express our concerns and stress that human rights issues will continue to play a role in determining the pace and depth of our re-engagement, as well as consulting key European and other allies on this arrest and the general deterioration of human rights in Syria. Washington may also want to consider whether now is the time to issue a public statement to express solidarity with the growing number of Syrian human rights and democracy advocates who are now in jail. Should Washington choose the latter course, Post suggests that the statement and press guidance draw on the central themes of President Obama's June 4 speech in Cairo:

--The United States is profoundly disappointed to learn of the arrest of human rights lawyer Muhanad al-Hasani in Damascus on July 28. The United States condemns the arbitrary arrest and detention of all people on political grounds and calls for the immediate release of all prisoners of conscience.

--America believes that all people yearn for the ability to speak their minds freely without fear of prosecution, that they should have a say in how they are governed, and enjoy the freedom to live as they choose. As President Obama observed in his June 4 Cairo speech, "These are not just American ideas; they are human rights. And that is why we will support them everywhere."

MAXWELL